

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 2-92 of the Municipal Code of the City of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

2-92-100 Administration--Department of cultural affairs.

The department of cultural affairs shall administer the public art program and all public art program projects, including artwork(s) received as gifts to the City of Chicago. The department of cultural affairs shall commission or purchase all artwork after approval by the public art commission as specified in Sections 2-92-130 through 2-92-160.

2-92-130 Public art commission--Established--Chairperson and membership.

There is hereby created a public art commission for the public art program. The commissioner of the department of cultural affairs shall act as chairperson of the commission. The public art commission shall consist of eleven members as follows:

(a) the commissioner of the department of cultural affairs;

(b) the chairman of the appropriate City of Chicago City Council Committee

(c) nine members selected by the Mayor and approved by the City Council. These members shall be appointed to two-year terms or until their successors are appointed. Gallery owners and agents representing artists shall not be eligible for appointment under this subsection. Every commission member except those selected under subsection (c) of this section may designate, from time to time, a surrogate to attend meetings and to vote in the member's place. A surrogate for the chairman of the appropriate committee shall be either a member of the chairman's staff or a member of the committee. A surrogate for the head of a city department shall be an employee of that same department. The actions and votes of a designated surrogate shall be valid as the actions and votes of the member designating the surrogate.

2-92-140 Public art commission--Powers and duties.

The public art commission shall meet at least four times per year and shall have the following additional duties:

(a) to oversee the public art program as established under this Article;

(b) to determine how the public art program funds will be spent for each project and report on those expenditures on an annual basis to the appropriate City Council Committee. The report shall be submitted in writing to the committee and will be made available to the public at large, for each calendar year no later than May 1 of the following year, disclosing the following: the amount of the funding for the public art program fund pursuant to Section 2-92-090 and the source(s) of such funding; the amount of such funding allocated to each specific public art project and the unspent balance; a description and the amount of each expenditure of such funding (not including maintenance and general administrative costs as set forth in Section 2-92-

- 120) for each specific public art project and location of each artwork(s) purchased or commissioned with such funding; and the name and city of residence of each such artist.
- (c) to establish selection guidelines for each public art program project, including determining whether the selection will be made by open competition (artist call), limited entry (invitational), direct selection, or other method of selection, including the use of the Department of Cultural Affairs' slide registry; and
- (d) to make the final selection of the artist(s) and artwork(s) to be commissioned or purchased by the department of cultural affairs for each public art program project.

2-92-142 Department of cultural affairs - powers and duties.

In addition to those conferred elsewhere in this code or by other ordinance, the department of cultural affairs shall have the following powers and duties:

- (a) to review proposed construction projects on a quarterly basis and determine eligible public art program projects;
- (b) to determine the appropriate placement of artwork(s) commissioned or purchased under the public art program as well as artwork(s) received as gifts to the city;
- (c) to maintain artworks(s) in the public art program collection in cooperation with the department of general services;
- (d) to review current and future public art program projects to help insure that Chicago artists receive at least 50 percent of the number of projects representing these commissions or purchases and receive at least 50 percent of the funding available under the public art program;
- (e) to solicit, receive and review comments and recommendations regarding the selection of sculpture restoration and conservation projects and to make the final selection of the sculpture restoration and conservation projects that will receive public art program funding;
- (f) to solicit, receive and review comments and recommendations concerning proposed or contemplated artworks from aldermen, community organizations and residents in whose wards and communities artwork will or may be placed as part of the public art program; and
- (g) to publish on its website: (i) all notices, agendas and minutes of the public art commission pursuant to the terms of the Open Meetings Act; (ii) the financial report required under Section 2-92-140(b); and (iii) within 30 days of adoption, guidelines for each funded public art project required under Section 2-92-140(c) together with a description of each such project, its budget, and information concerning how an artist can request consideration for such project.

2-92-160 Consultation with and notice to affected community.

The department of cultural affairs shall seek and obtain community input regarding each percent for art project through the following methods:

- (a) discussion with the alderman or aldermen of the ward(s) in which a project is contemplated, for assistance in identifying (i) local organizations and institutions, such as homeowners' associations, residents' associations, chambers of commerce, block clubs, arts organizations, historical societies, and other organizations and institutions, that may be especially interested in or affected by the contemplated project; (ii) local residents and business owners who may be interested in the project; (iii) local history, concerns and interests that may be considered in developing the project;
- (b) direct contact with local organizations and institutions concerning the project; and
- (c) two or more public forms at which interested organizations, institutions and individuals may seek information, and offer suggestions and opinions on the contemplated public art project.

Forums convened under this subsection shall occur only after notice and an agenda for the forum is posted on the Department of Cultural Affairs website at least 14 days before the date of the forum. Notice shall also be given to the local alderman and to identified local associations and institutions. The notice shall include the date, time, place and a statement of the purpose of the forum, as well as a description of the location and nature of the construction, renovation or site improvement work that will include a public art component. Forums shall be convened either in offices of the department of cultural affairs or in the ward in which the project is to be located; provided, however, that if the project is to be located in more than one ward, forums may be convened in any such ward after the required notice. Forums shall be scheduled to take in to account the anticipated timetable of the related construction, renovation or site improvement work. One forum shall be scheduled before commissioning or purchasing of an artwork, in order to discuss preliminary matters including, the type(s) of artwork that may be appropriate to the community and to the related construction, renovation or site improvement work. An additional forum shall be convened in advance of final selection of any artist or artwork, in order to discuss proposed artwork(s) and to solicit community feedback. A report on what occurred at the forums shall be posted on the Department of Cultural Affairs' website no later than 14 days after the date of the forum. All reports shall also be submitted to the public art commission for its consideration.

Nothing in this section is intended to prevent the department of cultural affairs from receiving inquiries, information, suggestions or opinions in a manner not listed herein.

SECTION 2. The Municipal Code of the City of Chicago is hereby amended by deleting Sections 2-92-144 and 2-92-150 in their entirety.

SECTION 3. This ordinance shall take effect upon its passage and approval.